

### III. REMARKS

Claims 1-10 are pending in this application. By this amendment, claims 1, 2, 4, 6, 7 and 9 have been amended. Applicants do not acquiesce in the correctness of the rejections and reserve the right to present specific arguments regarding any rejected claims not specifically addressed. Further, Applicants reserve the right to pursue the full scope of the subject matter of the original claims in a subsequent patent application that claims priority to the instant application. Reconsideration in view of the following remarks is respectfully requested.

In the Office Action, claims 1-3 and 6-8 are rejected under 35 U.S.C. §102(b) as allegedly being anticipated by Fisher *et al.* (U.S. Patent No. 5,835,896), hereafter “Fisher.” Claims 4-5 and 9-10 are rejected under 35 U.S.C. §103(a) as allegedly being unpatentable over Fisher in view of Official Notice.

With regard to the 35 U.S.C. §102(b) rejections, Applicants assert that the cited references do not teach each and every feature of the claimed invention. For example, with respect to independent claims 1 and 6, Applicants submit that Fisher fails to teach a supply price that indicates a supply cost. Furthermore, the cited references fail to teach selecting an optimum combination by calculating a total profit using an iterative aggregation of profit for each additional intending purchaser. Still, further, the cited references fail to teach that an intending purchaser who bids lower than the supply price for the particular supply quantity is not automatically disqualified. Accordingly, Applicants respectfully request that the Office withdraw its rejection.

With respect to the Office’s other arguments regarding dependent claims, Applicants herein incorporate the arguments presented above with respect to the independent claims from

which the dependent claims depend. Furthermore, Applicants submit that all dependant claims are allowable based on their own distinct features. Since the cited art does not teach each and every feature of the claimed invention, Applicants respectfully request withdrawal of this rejection.

#### **IV. CONCLUSION**

In addition to the above arguments, Applicants submit that each of the pending claims is patentable for one or more additional unique features. To this extent, Applicants do not acquiesce to the Office's interpretation of the claimed subject matter or the references used in rejecting the claimed subject matter. Additionally, Applicants do not acquiesce to the Office's combinations and modifications of the various references or the motives cited for such combinations and modifications. These features and the appropriateness of the Office's combinations and modifications have not been separately addressed herein for brevity. However, Applicants reserve the right to present such arguments in a later response should one be necessary.

In light of the above, Applicants respectfully submit that all claims are in condition for allowance. Should the Examiner require anything further to place the application in better condition for allowance, the Examiner is invited to contact Applicants' undersigned representative at the number listed below.

Respectfully submitted,



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Hunter E. Webb  
Reg. No.: 54,593

Date: October 13, 2006

Hoffman, Warnick & D'Alessandro LLC  
75 State Street, 14<sup>th</sup> Floor  
Albany, New York 12207  
(518) 449-0044  
(518) 449-0047 (fax)

RAD/hew